



PATENT
109A 2948

11
P. 11
W. 11
A. 11
J. 11
J. 11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

YONEZO FURUYA

Serial No: 09/528,282

Filed: March 17, 2000

For: COIN INSPECTION METHOD AND
APPARATUS THEREFOR

Art Unit: 3651

Examiner: J. Shapiro

PETITION UNDER 37 CFR 1.8(b)

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicant in the above-identified application hereby petitions the Commissioner to revive the application which has been abandoned.

Applicant makes this petition based upon the facts below:

1. The above-identified application, U.S. Serial No. 09/528,282, was filed on March 17, 2000, and a Final Office Action was issued on March 12, 2002.
2. The response, or a Rule 116 Amendment, to this March 12, 2002 Final Office Action was prepared by the undersigned pursuant to the instructions supplied by the applicant and sent to the Patent Office via facsimile on July 12, 2002 with one-month extension of time together with two (2) Terminal Disclaimers.
3. In particular, the July 12, 2002 Amendment was a seven (7) page response containing amendments to the claims along with arguments in the remarks along with four (4) pages of "Version with Markings to Show Changes Made" and two (2) pages of Terminal Disclaimer to obviate a double patenting rejection over a prior art and another two (2) pages of Terminal Disclaimer to obviate a double patenting rejection over a pending application. The Amendment contained a certification of facsimile transmission on page 7, and the undersigned signed and dated the certificate and then personally sent the Amendment to the Patent Office

using the facsimile machine owned by the undersigned.

4. The above fact is clear from the copy of the July 12, 2002 Rule 116 Amendment which is attached hereto. In addition, as is clear from the enclosed copy of the Communication Result Report (Jul. 12, 2002 9:50AM), a complete facsimile transmission of the fifteen (15) page Amendment was successfully made as seen from "OK" under "RESULT" and "15/15" under "PAGE".

5. In view of the above, the response to the March 12, 2000 Final Office Action was timely pursuant to 37 CFR 1.6(d) and 1.8(a)(1)(i)(B).

6. Furthermore, the undersigned received an Advisory Action dated July 22, 2002 from the Examiner in response to this Rule 116 Amendment. In response to the Advisory Action, Applicant filed a Continued Prosecution Application (CPA) with a two-month extension of time via facsimile on August 7, 2002. As is clear again from the enclosed copy of the Communication Result Report (Aug. 7, 2002 2:59PM), a complete facsimile transmission of the five (5) page response was again successfully made on August 7, 2002 as seen from "OK" under "RESULT" and "5/5" under "PAGE"

7. Despite the successful two-time facsimile transmissions of the Rule 116 Amendment and Continued Prosecution of Application as detailed above, the undersigned received on November 13, 2002 a Notice of Abandonment issued by the Patent Office stating that "This application is abandoned in view of: Applicant's failure to timely file a proper response to the Office letter mailed 12 March 2002." However, the Amendment which was a response to the Office Action of March 12, 2002 was duly submitted to and received by the Patent Office as indicated in the Communication Result Reports of July 12, 2002 and the fact that the Examiner issued an Advisory Action on July 22, 2002.


8. In view of the above, the undersigned hereby respectfully petitions pursuant to 37 CFR 1.8(b) that the July 12, 2002 Rule 116 Amendment be considered to be timely filed and the Commissioner withdraw the holding of abandonment of this application. Though the petition fee is believed unnecessary, if it is necessary please charge the fee to Koda & Androlia Deposit Account No. 11-1445.

The undersigned further declares that all statements made herein are of my own knowledge and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the

like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

KODA & ANDROLIA

By: 
William L. Androlia
Reg. No. 27,177

2029 Century Park East
Suite 3850
Los Angeles, CA 90067-3024
Tel: (310) 277-1391
Fax: (310) 277-4118

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
Washington D.C. 20231, on

November 20, 2002

Date of Deposit

William L. Androlia

Name

11/20/02

Signature

Date